



State of California—Health and Human Services Agency
Department of Health Care Services



GAVIN NEWSOM
GOVERNOR

November 19, 2021

To: Tribal Chairpersons, Designees of Indian Health Programs,
and Urban Indian Organizations

Subject: Notice of Proposed Change to the Medi-Cal Program

The purpose of this letter is to provide information regarding a proposed change to the Department of Health Care Services' (DHCS) Medi-Cal Program that will be submitted to the Centers for Medicare and Medicaid Services (CMS). DHCS is forwarding this information for your review and comment.

DHCS is required to seek advice from designees of Indian Health Programs and Urban Indian Organizations on Medi-Cal matters having a direct effect on Indians, Indian Health Programs or Urban Indian Organizations per the American Recovery and Reinvestment Act of 2009 (ARRA). DHCS must solicit the advice of designees prior to submission to CMS of any State Plan Amendment (SPA), waiver requests or modifications, or proposals for demonstration projects in the Medi-Cal program.

Please see the enclosed summary for a detailed description of this DHCS proposal.

QUESTIONS AND COMMENTS:

Indian Health Programs and Urban Indian Organizations may also submit written comments or questions concerning this proposal within 30 days from the receipt of notice. Comments may be sent by email to Angeli.Lee@dhcs.ca.gov or by mail to the address below:

Contact Information

Angeli Lee
Director's Office
Department of Health Care Services
MS 0000
P.O. Box 997413
Sacramento, CA 95899-7413

Tribal Chairpersons, Designees of Indian Health Programs,
and Urban Indian Organizations

Page 2

November 19, 2021

In addition to this notice, DHCS plans to cover this SPA in the next quarterly Medi-Cal Indian Health webinar. Please note that Indian Health Programs and Urban Indian Organizations may also request a consultation on this proposal at any time as needed.

Sincerely,

Original signed by Andrea Zubiarte for

Sandra "Sam" Willburn, Chief
Office of Tribal Affairs
Department of Health Care Services

Enclosure



**Department of Health Care Services (DHCS)
Tribal and Designees of Indian Health Programs Notice**

PURPOSE

The Department of Health Care Services (DHCS) plans to submit a State Plan Amendment (SPA) 21-0010 to the federal Centers for Medicare and Medicaid Services (CMS). The proposed SPA will seek to extend the Proposition 56 supplemental payments for Non-Emergency Medical Transportation (NEMT) services, effective January 1, 2022.

BACKGROUND

On November 8, 2016, California voters approved the California Healthcare, Research and Prevention Tobacco Tax Act (commonly known as Proposition 56) to increase the excise tax rate on cigarettes and tobacco products. The Legislature appropriates a specified portion of Proposition 56 revenues to DHCS for use as the nonfederal share of health care expenditures in accordance with the annual state budget process, including funds allocated for supplemental payments for certain NEMT services.

Assembly Bill (AB) 128 (Chapter 21, Statutes of 2021)¹ enacted as part of the state budget process for the 2021-22 state fiscal year, extended Proposition 56 supplemental payments for certain NEMT services.

SUMMARY OF PROPOSED CHANGES

This change is necessary to align with the Governor's FY 2021-22 May budget revision. Accordingly, SPA 21-0010 proposes to extend the Proposition 56 supplemental payments for Non-Emergency Medical Transportation (NEMT) services, effective January 1, 2022.

DHCS is seeking federal approval to extend the supplemental payments for eligible NEMT services funded by Proposition 56.

The effective date of the proposed SPA is January 1, 2022, and is subject to approval by CMS.

IMPACT TO TRIBAL HEALTH PROGRAMS

To the extent a tribal health program is enrolled in Medi-Cal as a NEMT provider, the tribal health program will continue to receive the Proposition 56 supplemental payments for NEMT services.

IMPACT TO FEDERALLY QUALIFIED HEALTH CENTERS (FQHCs)

To the extent a FQHC is enrolled in Medi-Cal as a NEMT provider, the FQHC will continue to receive the Proposition 56 supplemental payments for NEMT services.

IMPACT TO INDIAN MEDI-CAL BENEFICIARIES

DHCS does not anticipate an impact to American Indian Medi-Cal beneficiaries.

¹ Assembly Bill (AB) 128 is available at:
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB128

**RESPONSE DATE**

Indian Health Programs and Urban Indian Organizations may also submit written comments or questions concerning this proposal within 30 days from the receipt of notice. Comments may be sent by email to Angeli.Lee@dhcs.ca.gov or by mail to the address below:

CONTACT INFORMATION

Angeli Lee
Director's Office
Department of Health Care Services
MS 0000
P.O. Box 997413
Sacramento, CA 95899-7413